## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA,	) 
	Plaintiff,	) Case Number 8:12MJ291
	vs.	) ) DETENTION ORDER )
JU	AN FRANCO-CASARRUBIAS,	
	Defendant.	
A.	Order For Detention  After conducting a detention hearing purs Reform Act, the Court orders the above-r U.S.C. § 3142(e) and (I).	suant to 18 U.S.C. § 3142(f) of the Bail named defendant detained pursuant to 18
B.	<ul> <li>Statement Of Reasons For The Detention         The Court orders the defendant's detention because it finds:         X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.         X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.     </li> </ul>	
C.	X (1) Nature and circumstances of X (a) The crime: Reentry of carries a maximum pe (b) The offense is a crime (c) The offense involves a	Services Report, and includes the following: the offense charged: <u>a Removed Alien</u> is a serious crime and nalty of <u>2 years</u> imprisonment.  of violence.
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	The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at court proceedings.	
	(b) At the time of the current arrest, the defendant was on:	
	Probation	
	Parole	
	Supervised Release	
	Release pending trial, sentence, appeal or completion of	
	sentence.	
	c) Other Factors:	
	X The defendant is an illegal alien and is subject to	
	deportation.	
	The defendant is a legal alien and will be subject to	
	deportation if convicted.	
	X The Bureau of Immigration and Customs Enforcement	
	(BICE) has placed a detainer with the U.S. Marshal.	
	Other:	
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rei	release are as follows:	
	Previous removals - 2004, 2009, 2009, 2009.	

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 3<sup>rd</sup> day of October, 2012.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge